

denatured alcohol or naphtha motor railways, with power to own, construct and operate union depots and office buildings,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 277, A bill to be entitled "An Act granting relief to any person who has filed on any public land in this State and who has been compelled to defend a lawsuit to obtain title to and possession of said land because of an erroneous award of same to an adverse party by the General Land Office, and declaring an emergency,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 222, A bill to be entitled "An Act to prohibit the pernicious practice of 'hazing' in the State educational institutions, to provide penalties therefor, to provide for the dismissal of teachers, instructors, members of faculties, officers and directors of such State institutions who permit such practices, for their ineligibility for service as such teachers, instructors, members of faculties and officers and directors for a term of years thereafter, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 355, A bill to be entitled "An Act to amend Article 6625, Title 115, Chapter 11, Revised Civil Statutes of 1911, by striking therefrom certain words, and declaring an emergency,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 230, A bill to be entitled "An Act defining certain classes of indemnity contracts, prescribing regulations thereof, fixing a license fee, providing for the issuance of a permit, providing penalty for violation thereof, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Saturday, March 8, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	McGregor.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Weinert.
Lattimore.	Westbrook.

Absent.

McNealus.	Wiley.
Watson.	Willacy.

Absent—Excused.

Bailey.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Carter.

(See Appendix for petitions and memorials and standing committee reports.)

Morning call concluded.

SENATE BILL NO. 8.

(Pending Business.)

The Chair laid before the Senate, on second reading,

Senate bill No. 8, A bill to be entitled "An Act creating a State Highway Department, and establishing a State Highway Commission and the office of State Highway Engineer, prescribing the duties of each, and fixing the compensation of said State Highway Engineer, creating a fund by the license of motor vehicles, fixing a penalty for the failure to pay such license, making an appropriation to carry out the provisions of this act, and declaring an emergency."

Senator McGregor moved that further consideration of the bill be postponed for today and that it be made pending business for Monday morning after the consideration of Senate bill No. 67.

The motion prevailed.

BILLS MADE SPECIAL ORDER.

On motion of Senator Lattimore, Senate bills Nos. 211 and 221 were made special orders for next Thursday morning call.

SENATE BILL NO. 330.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 330, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4 of Chapter 77 of the General Laws of the Thirty-second Legislature, approved March 17, 1911, and entitled 'An Act to provide for the location, establishment and maintenance of two colonies for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor; defining a citizen as used in this act, and declaring an emergency,' and providing an emergency."

The bill was read, and Senator McGregor offered the following several amendments, which were read and adopted as a whole:

(1)

Amend the bill in line 18 by striking out the word "repealed" after the word "hereby" and insert the following:

"amended so as to hereafter read as follows":

(2)

Amend the bill by striking out the figure "3" in line 25, after the word "Sec." in line 19, and insert the figure "1."

(3)

Amend the bill by striking out the figure "3" in line 25, after the word "Sec." and insert the figure "2."

(4)

Amend the bill by striking out the figure "4" after the word "Sec." in line 32, and insert the figure "3."

(5)

Amend the bill by inserting a new section, as follows: "Sec. 2. Section 6 of Chapter 77 of the General Laws of the Thirty-second Legislature, approved March 17, 1911, is hereby repealed."

(6)

Amend the bill on page 2 by striking out the figure "5" in line 12 after the word "Sec." and insert the figure "3."

(7)

Amend the caption in line 7 by inserting after the word "and" and before the figure "6" the words "to repeal."

The bill was read second time and ordered engrossed.

On motion of Senator McGregor, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	McGregor.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Townsend.
Hudspeth.	Warren.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	

Absent.

Greer.	Watson.
McNealus.	Wiley.
Terrell.	Willacy.
Vaughan.	

Absent—Excused.

Bailey.

(Senator Collins in the chair.)
The bill was read third time and was passed by the following vote:

Yeas—24.

Astin.	McGregor.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Hudspeth.	Townsend.
Johnson.	Warren.
Kauffman.	Weinert.
Lattimore.	Westbrook.

Absent.

Greer.	Watson.
McNealus.	Wiley.
Vaughan.	Willacy.

Absent—Excused.

Bailey.

Senator McGregor moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 71.

(Special Order.)

The Chair laid before the Senate, on second reading,

Senate bill No. 71, A bill to be entitled "An Act making it unlawful for a Senator or Representative-elect, to receive employment, fees, gifts, loans or compensation as officer, agent, representative or attorney from certain corporations and prescribing penalties therefor, and creating an emergency."

Senator Nugent stated that he had signed the bill, as one of the authors, and desiring that his name be expunged from the same, as one of the authors, he moved that same be so expunged, which motion prevailed.

The committee report, with (committee) amendments, was adopted.

(Lieutenant Governor Mayes in the chair.)

Senator Greer offered the following amendment:

Amend Sec. 1, line 16, of the bill by striking out all after the figure "1" down to and including the word "attorney" in line 21 and insert the following: "That it shall be unlawful for any

person who has been nominated or elected to the office of Senator or Representative of the State of Texas, after his said nomination or election and during his term of office, to accept any office, employment or service, or to receive any salary, fee, pay, loan or gift as an officer, agent, representative or attorney."

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Lattimore:

Whereas, Mrs. Nannie Curtis, one of the foremost women of our State, will be in the city on Tuesday morning, March 11, therefore, be it

Resolved, That we, the Senate, invite Mrs. Curtis to address the Senate Tuesday morning, March 11, from 9:30 to 10 a. m.

The resolution was read and adopted.

SENATE BILL NO. 71.

(Pending Business.)

Action recurred on the pending business, Senate bill No. 71, the question being on the amendment by Senator Greer, which was read and adopted.

Senator Lattimore offered the following amendment:

Amend the bill as amended by inserting in line 21 after the word "attorney," the following: "and that no newspaper owned in whole or in part by any Senator or Representative, or with which any such Senator or Representative may be connected, shall receive, during his term of office, any advertising matter or paid matter of any kind."

Senator Morrow offered the following amendment to the amendment:

Amend the amendment by adding: "and no owner of such newspaper shall directly or indirectly be interested in fees for such advertising."

The amendment to the amendment was adopted.

Action recurred on the amendment, as amended, and the same was adopted by the following vote:

Yeas—20.

Astin.	Darwin.
Carter.	Gibson.
Conner.	Greer.
Cowell.	Hudspeth.

Kauffman.	Real.
Lattimore.	Terrell.
Morrow.	Townsend.
Murray.	Warren.
Nugent.	Weinert.
Paulus.	Westbrook.

Nays—3.

Brelsford.	McGregor.
Collins.	

Present—Not Voting.

Johnson.

Absent.

McNealus.

Willacy.

Absent—Excused.

Bailey.

PAIRED.

Senator Vaughan (present), who would vote "nay," with Senator Watson (absent), who would vote "yea."

Senator Taylor (present), who would vote "yea," with Senator Wiley (absent), who would vote "nay."

Senator Conner offered the following amendment:

Amend the bill, as amended, by adding the following: "neither shall any newspaper in which any member of the Legislature owns any interest, during his term of office, use or permit to be printed in such paper any matter commending or reflecting in any way upon any corporation mentioned in this bill."

Senator McGregor offered the following amendment to the amendment:

Amend amendment by adding: "nor shall any such newspaper accept free matter of any kind from the commercial secretaries at any time."

SENATE JOINT RESOLUTION NO. 18.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate Joint Resolution No. 18, Proposing and submitting to a vote of the people of Texas an amendment to Sections 49 and 52 of Article 3 of the Constitution, authorizing the issuance of bonds and the levying of a tax to pay the interest and sinking fund on same, for public improvements.

Senator Weinert offered the following amendment:

Amend the bill, lines 24 and 25, by striking out the words "May, 1913, the

same being the 3rd day of said month," and inserting in lieu thereof the following: "July, 1913, the same being the 19th day of said month."

The amendment was read adopted by the following vote:

Yeas—22.

Astin.	McGregor.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Weinert.
Lattimore.	Westbrook.

Nays—1.

Kauffman.

Absent.

Gibson.
McNealus.
Real.
Warren.

Watson.
Wiley.
Willacy.

Absent—Excused.

Bailey.

The resolution was read third time and was passed by the following vote:

Yeas—21.

Astin.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Kauffman.	Weinert.
McGregor.	Westbrook.
Morrow.	

Nays—3.

Cowell.	Lattimore.
Johnson.	

Absent.

Gibson.	Watson.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

Senator Weinert moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

RECESS.

Senator Vaughan, at 1 o'clock p m., moved that the Senate recess until 3 o'clock today.

Senator Astin moved, as a substitute, that the Senate adjourn until 10 o'clock Monday morning. Action recurred on the longest time first and the motion to adjourn until 10 o'clock Monday was lost by the following vote:

Yeas—7.

Astin.	Gibson.
Brelsford.	Kauffman.
Carter.	Terrell.
Conner.	

Nays—18.

Collins.	Murray.
Cowell.	Nugent.
Darwin.	Paulus.
Greer.	Taylor.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
McGregor.	Weinert.
Morrow.	Westbrook.

Absent.

McNealus.	Wiley.
Real.	Willacy.
Watson.	

Absent—Excused.

Bailey.

The motion to recess until 3 o'clock today was then adopted.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 228, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Thirty-second Legislature, the same being 'An Act to amend an Act entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to

exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations performing service for or in connection with the operation of the railways, the State Railroad Commissioners, peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions, deputy sheriffs, United States marshals and not more than two deputies of each such marshal, chiefs of police and city marshals, eleemosynary and religious societies, volunteer firemen and Confederate veterans, the State Game, Fish and Oyster Commissioner and his two chief deputies, State and county health officers, Government representatives accompanying fish for free distribution in the streams of this State, the Dairy and Food Commissioner and his two deputies; and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines, persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables, members of the State militia in uniform when called into service, by excepting from the provisions of the law the actual bona fide agents, not exceeding five on any one line, of any accident, casualty or health insurance company, doing business under the laws of this State that have, or that may hereafter make franchise contracts with any railway company or receiver thereof, to insure their employes, so long as such franchise contract may be in force," with engrossed riders.

House bill No. 52, A bill to be entitled "An Act to amend Article 1422 of the Penal Code, Revision of 1911, relating to the offense of swindling," with engrossed rider.

House bill No. 44, A bill to be entitled "An Act to amend Article 4632 of the Revised Civil Statutes (1911) of the State of Texas," with engrossed rider.

House bill No. 164, A bill to be entitled "An Act to provide for the payment of salaries to all district attorneys and county and precinct officials, and providing that the fees to which they are now entitled shall be collected by them and paid into the county treasury of their respective counties, and abolishing the fees allowed district attorneys," with engrossed rider.

House bill No. 102, A bill to be entitled "An Act to make it a felony to carry a

pistol, punishable by imprisonment in the penitentiary, repealing all laws and parts of laws in conflict with the same, and declaring an emergency."

House bill No. 218, A bill to be entitled "An Act to name the several counties composing the Thirty-third Judicial District and fix the time for holding district courts therein, and to repeal all laws in conflict therewith, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following House bills:

House bill No. 228, referred to Committee on Internal Improvements.

House bill No. 52, referred to Judiciary Committee No. 2.

House bill No. 44, referred to Judiciary Committee No. 1.

House bill No. 164, referred to Committee on State Affairs.

House bill No. 102, referred to Judiciary Committee No. 2.

House bill No. 218, referred to Committee on Judicial Districts.

EXECUTIVE MESSAGE.

Governor's Office,
Austin, Texas, March 8, 1913.

To the Texas State Senate.

I ask the advice and consent of the Senate to the appointment of the following:

To be members of the State Board of Medical Examiners:

Doctors W. B. Collins of Houston county, W. L. Crostwaite of McLennan county, Geo. L. Baber of Wood county, J. H. Evans of Anderson county and E. B. Osborn of Johnson county, as representatives of the regular school of medicine.

Doctors J. F. Bailey of McLennan county and Paul M. Peck of Bexar county as representatives of the Osteopaths.

Doctors M. E. Daniel of Fannin county and Geo. W. Johnson of Bexar county, as representatives of the Eclectics.

Doctors T. J. Crowe of Dallas county

and H. C. Morrow of Travis county, as representatives of the Homeopaths.

Respectfully submitted,

O. B. COLQUITT,

Governor of Texas.

HOUSE CONCURRENT RESOLUTION NO. 18.

(By Unanimous Consent.)

The Chair laid before the Senate House Concurrent Resolution No. 18, Proposing for the publication of Manual of the Thirty-third Legislature.

Senator Warren offered the following amendment to the committee report:

Amend the committee report by substituting therefor the following, to wit:

We, your Committee on Contingent Expenses, to whom was referred

House Concurrent Resolution No. 18, beg to report we have had the same under consideration, and recommend that it be adopted, and the Secretary of State be instructed to deliver to the State Librarian fifty copies of the manual, bound in paper for exchange with other State libraries.

We further recommend that the President of the Senate appoint the Committee on Rules of the Senate to prepare the data for the manual of the Thirty-third Legislature, and that the copy for same be turned over to the printer at the earliest possible moment.

The amendment was read and adopted.

The resolution was then adopted.

SENATE BILL NO. 173.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 173, A bill to be entitled "An Act to authorize the Texas & New Orleans Railroad Co. to purchase, own and operate the railroad of the Burr's Ferry, Brownell & Chester Railway Co., with the franchises and other properties thereunto appertaining; and to authorize the said Burr's Ferry, Brownell & Chester Railway Co. to sell the same; and to authorize the Texas & New Orleans Railroad Co. to issue additional mortgage bonds to the amount of the value of the railroad, franchises and appurtenances so purchased as fixed, or as the same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of the operations of such properties."

The bill was read second time and passed to engrossment.

SENATE BILL NO. 71.

(Pending Business.)

Action recurred on the pending business, Senate bill No. 71, the question being on the pending amendment and the amendment to the amendment.

Pending discussion, Senator Collins moved to table the amendment to the amendment, which motion to table was adopted.

Senator Collins moved to table the amendment by Senator Conner, which motion to table was adopted.

Senator Townsend offered the following amendment:

Amend the bill as follows: Amend Section 1 as amended as follows: By adding after the word "attorney," the last word in the amendment, the following: "or continue in such service theretofore accepted."

COLLINS.
TOWNSEND.

(President Pro Tem. Lattimore in the chair.)

Action recurred on the amendment and the same was adopted by the following vote:

Yeas—21.

Astin.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Weinert.
Lattimore.	Westbrook.
Morrow.	

Nays—2.

Brelsford.	Greer.
------------	--------

Present—Not Voting.

Conner.

Absent.

McGregor.	Watson.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

Senator Terrell offered the following amendment:

Amend the bill by adding after Section 1, page 1: "Section 1a. Provided, That the provisions of this act shall apply to the firm, co-partnership, or corporation in which any State Senator

or State Representatives may own or control any stock or be a member thereof, either directly or indirectly."

TERRELL.
HUDSPETH.

The amendment was read and adopted.

The bill, having already been read, the Senate refused to order the same engrossed by the following vote:

Yeas—6.

Brelsford.	Paulus.
Carter.	Townsend.
Darwin.	Westbrook.

Nays—14.

Astin.	Morrow.
Conner.	Murray.
Cowell.	Nugent.
Gibson.	Terrell.
Greer.	Vaughan.
Hudspeth.	Warren.
Kauffman.	Weinert.

Present—Not Voting.

Lattimore.

Absent.

McGregor.	Willacy.
McNealus.	

Absent—Excused.

Bailey.

PAIRED.

Senator Johnson (present), who would vote "yea" with Senator Real (absent), who would vote "nay."

Senator Collins (present), who would vote "yea" with Senator Watson (absent), who would vote "nay."

Senator Taylor (present), who would vote "yea" with Senator Wiley (absent), who would vote "nay."

Senator Hudspeth moved to reconsider the vote by which the Senate refused to order the bill engrossed and lay that motion on the table.

Senator Vaughan moved, as a substitute, to reconsider the vote by which the Senate refused to order the bill engrossed and spread the motion on the Journal.

The substitute motion was lost by the following vote:

Yeas—9.

Brelsford.	Taylor.
Carter.	Townsend.
Collins.	Vaughan.
Darwin.	Westbrook.
Paulus.	

Nays—13.

Astin.	Morrow.
Conner.	Murray.
Cowell.	Nugent.
Gibson.	Terrell.
Greer.	Warren.
Hudspeth.	Weinert.
Kauffman.	

Present—Not Voting.

Lattimore.

Absent.

McGregor.	Wiley.
McNealus.	Willacy.
Watson.	

Absent—Excused.

Bailey.

PAIRED.

Senator Johnson (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

The motion to lay the motion to reconsider on the table was adopted.

REASON FOR VOTE.

I vote "nay" because I realize the bill is defeated, and I desire to be in a position to move to reconsider, in the hope of bringing up the bill at a more favorable time in the hope of passing it.

VAUGHAN.

HOUSE BILL NO. 690.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading and regular order,

House bill No. 690, A bill to be entitled "An Act to appropriate the sum of \$12,000.00 or so much thereof as may be necessary, for the purpose of buying additional grounds for the Sam Houston Normal Institute, located at Huntsville, Texas, and declaring an emergency."

The committee report, with amendments and recommendation which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Lattimore.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Weinert.
Kauffman.	Westbrook.

Absent.

McGregor.	Watson.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

The bill was read second time and was passed by the following vote:

Yeas—24.

Astin.	Lattimore.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Weinert.
Kauffman.	Westbrook.

Absent.

McGregor.	Watson.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 11.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 11, A bill to be entitled "An Act to provide for the compensa-

tion of certain employes and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof the more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims and for the adjustment thereof for consenting parties; fixing the membership and powers of board and its compensation and duties and the method of its appointments and the term of office of its members, and fixing also the powers, duties and liabilities of said insurance association, and the extent of control over the same to be exercised by the Commissioner of Banking and Insurance, and providing for the insurance of damage payments by certain other insurance companies and organizations."

The bill was read third time and was passed.

Senator Collins moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 338.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 338, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first and Sixty-third and Seventieth Judicial Districts of the State of Texas; and to create the Seventy-fifth Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the courts in each of said judicial districts; and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a district judge and district attorney in said Seventy-fifth Judicial District; and to make all process issued or served before this act take effect including recognizances and bonds, returnable to the terms of the courts in the several districts as herein fixed, to validate such process, and to validate the summoning of grand and petit jurors and juries, repealing all laws, and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Lattimore.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Kauffman.	

Absent.

McGregor.	Watson.
McNealus.	Wiley.
Nugent.	Willacy.
Real.	

Absent—Excused.

Bailey.

The bill was read third time and was passed by the following vote:

Yeas—24.

Astin.	Lattimore.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Weinert.
Kauffman.	Westbrook.

Absent.

McGregor.	Watson.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

Senator Hudspeth moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Warren:

Senate bill No. 425, A bill to be entitled "An Act to amend Article 1255 of the

Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, 1911, providing that it shall be a misdemeanor for any person to enter the enclosed land of another without the owner's consent, and therein hunt with firearms, or therein catch, or attempt to catch, any fish, or in any other manner trespass or depredate; providing for punishment therefor, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Collins:

Senate bill No. 426, A bill to be entitled "An Act to prohibit the sale or exchange to minors, of any beverage, syrup, mixture or compound in the preparation of which caffeine or extracts containing caffeine have been used, and fixing a penalty for the violation of this act."

Read first time and referred to Judiciary Committee No. 1.

SENATE BILL NO. 414.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 414, A bill to be entitled "An Act to amend Articles 1234 and 1236 of Chapter 13, Title 25, of the Revised Civil Statutes of the State of Texas of 1911, to provide for the acquisition by telegraph and telephone companies incorporated under the laws of Texas, of other companies or the systems of other companies incorporated for said purposes by construction or by purchase, lease or other contract, and declaring an emergency."

The bill was read second time and was ordered engrossed.

On motion of Senator Vaughan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Brelsford.	Johnson.
Carter.	Kauffman.
Collins.	Lattimore.
Conner.	Morrow.
Cowell.	Murray.
Darwin.	Nugent.
Gibson.	Paulus.
Greer.	Taylor.
Hudspeth.	Terrell.

Townsend.	Warren.
Vaughan.	Weinert.

Nays—1.

Westbrook.

Absent.

Astin.	Watson.
McGregor.	Wiley.
McNealus.	Willacy.
Real.	

Absent—Excused.

Bailey.

The bill was read third time and was passed by the following vote:

Yeas—21.

Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Weinert.
Lattimore.	

Nays—1.

Westbrook.

Absent.

Astin.	Real.
Cowell.	Watson.
McGregor.	Wiley.
McNealus.	Willacy.

Absent—Excused.

Bailey.

Senator Vaughan moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 408.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 408, A bill to be entitled "An Act to create a board of regents for the John Tarleton College of Stephenville, Erath county, Texas; to provide for the appointment of said board; to define its duties and powers; to divest the control and management, legal title and ownership of said institution out of the Governor of the State of Texas, the Superintendent of Public Instruction of the State of Texas and

the county judge of Erath county, Texas, to vest said control in said board, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Conner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Brelsford.	Lattimore.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Westbrook.
Kauffman.	

Absent.

Astin.	Watson.
McGregor.	Weinert.
McNealus.	Wiley.
Morrow.	Willacy.
Real.	

Absent—Excused.

Bailey.

The bill was read second time and was passed by the following vote:

Yeas—22.

Brelsford.	Lattimore.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Westbrook.
Kauffman.	

Absent.

Astin.	Watson.
McGregor.	Weinert.
McNealus.	Wiley.
Morrow.	Willacy.
Real.	

Absent—Excused.

Bailey.

Senator Conner moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 66 — MADE SPECIAL ORDER.

(By Unanimous Consent.)

On motion of Senator Morrow, Senate bill No. 66 was made a special order for next Tuesday morning, after the conclusion of the morning call.

SENATE BILL NO. 30.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 30, A bill to be entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, restaurant or theater, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel, restaurant or theater, or other establishment employing any female to provide suitable seats for all employees, and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act."

The bill was read third time and was passed.

SENATE BILL NO. 203.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 203, A bill to be entitled "An Act fixing the number of members constituting the governing boards of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts for Women, and the State Normal Schools; fixing the terms of office of the members and the manner of their appointment; providing for overlapping terms; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—22.

Brelsford.	Lattimore.
Carter.	Morrow.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Westbrook.

Absent.

Astin.	Watson.
McGregor.	Weinert.
McNealus.	Wiley.
Real.	Willacy.

Absent—Excused.

Bailey.

Senator Darwin moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 19.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 19, To amend Article 111 of the Constitution of the State of Texas, by adding thereto Section 51a, providing that aid may be granted to the indigent survivors and their widows of the seventeen heroes who defended and rescued the State Treasury from a band of robbers.

The resolution was read second time and passed to engrossment.

SENATE BILL NO. 281—MADE SPECIAL ORDER.

On motion of Senator Johnson, Senate bill No. 281 was made a special order for next Wednesday morning after the conclusion of the morning call.

ADJOURNMENT.

On motion of Senator Vaughan, the Senate, at 5:40 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

BILL SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Senate bill No. 18, "An Act to create a special district court for Grayson county, to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said court and the other changes as are made in the jurisdiction of any of said courts by this bill, to empower the judge of said special district court and the judges of the Fifteenth and Fifty-ninth Judicial Districts in Grayson county to transfer cases from their respective court to the other of said courts, to provide for the appointment of a judge for said special district court, to fix his salary and term of office, and declaring an emergency."

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 652, A bill to be entitled "An Act to create the Sandia Independent School District in Jim Wells county, Texas, etc., and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Astin, Cowell, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 653, A bill to be entitled "An Act to create the Bentonville Independent School District out of a part of the Agua Dulce Independent School District, in Jim Wells county, Texas, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 626, A bill to be entitled "An Act to authorize and permit the territory situated within the bounds of the town of Floydada, in the county of Floyd and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Astin, Cowell, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 610, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the Independent School District of the city of Eagle Lake, in the county of Colorado and State of Texas, and other lands and territory adjacent thereto in Colorado county to incorporate as an independent district for free school purposes only, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 596, A bill to be entitled "An Act incorporating and creating the Sonora Independent School District of Sutton county, Texas, for free school purposes only, etc., and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Weinert, Johnson, Astin, Cowell, Gibson.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 593, A bill to be entitled "An Act creating the Hutchins Independent School District, in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Hutchins, in the county of Dallas and State of Texas, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 642, A bill to be entitled "An Act to authorize and empower the Celeste Independent School District of Hunt county, Texas, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Gibson, Weinert.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 597, A bill to be entitled "An Act to authorize and empower Red River county, or any political subdivision of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, regulating traffic thereon; and providing a method of making up

the tax rolls of Red River county, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Weinert, Townsend, Westbrook.

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 403, A bill to be entitled "An Act to create a special district court for the counties of Montgomery, Liberty, Chambers, Hardin, San Jacinto, Polk; to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said courts to the other district court in said counties to such changes as are made in the jurisdiction of any of said courts by this act, to empower the judge of said special district courts and the judge of the Ninth Judicial District Courts in said counties to transfer cases from his respective courts to the said courts as herein provided; to provide for the appointment of a judge for said special district court, to fix his salary and term of office; to provide that said special district courts created under this act shall not have a grand jury; to provide that said judge of said special district courts shall have the right to reconvene the grand jury of the Ninth Judicial District Court, and declaring an emergency."

Have had the same under consideration and recommend that it do pass, but be not printed.

Hudspeth, Chairman; Nugent, Brelsford, Morrow, Carter, Taylor, Collins.

Committee Room,

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 30, A bill to be entitled "An Act to regulate the hours and safeguard the health of females employed in any manufacturing, mechanical or mercantile establishment, or workshop, laundry, printing office, dress-making or millinery establishment, hotel, restaurant, or theater, or telegraph or telephone establishment and office, and to require all persons employing any

female to provide suitable seats for such female and permit her to use the same at such time as she is not engaged in the active performance of her duties as such employe, and providing a penalty for the violation thereof,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 69, A bill to be entitled "An Act to amend Article 5243, Chapter 1, Title 77, Revised Civil Statutes of the State of Texas of 1911, relating to Bureau of Labor Statistics,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 218, A bill to be entitled "An Act prescribing the method of procuring charters for banks, trust companies and bank and trust companies, to require incorporators thereof to submit their articles of incorporation to the State Banking Board, and to give to said board authority to make certain investigations, and to refuse or grant a charter to such incorporators, and if granted, the articles of incorporation to be filed with the Commissioner of Insurance and Banking, and the fee therefor to be paid to said officer; repealing all laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 18, Proposing and submitting to a vote of the people of Texas an amendment to Sections 49 and 52 of Article 3 of the Constitution, authorizing the issuance of bonds and the levying of a tax to pay

the interest and sinking fund on the same, for public improvements.

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 273, "An Act making an appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1913, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 12 o'clock m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 8, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 18, "An Act to create a special district court, for Grayson county, Texas, to prescribe the jurisdiction, to limit its existence, to fix its terms, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 12 o'clock m., presented same to the Governor for his approval.

GIBSON, Chairman.

FORTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
Monday, March 10, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Johnson.
Bailey.	Kauffman.
Brelsford.	Lattimore.
Carter.	McGregor.
Collins.	McNealus.
Conner.	Murray.
Cowell.	Nugent.
Darwin.	Paulus.
Gibson.	Taylor.
Greer.	Terrell.
Hudspeth.	Townsend.

Vaughan.
Warren.
Watson.

Westbrook.
Wiley.

Absent.

Morrow.
Real.

Weinert.
Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)

BILLS AND RESOLUTIONS.

By Senator Greer:

Senate bill No. 427, A bill to be entitled "An Act to amend Section 2, Chapter 78, of the General Laws of the Regular Session of the Thirtieth Legislature, relating to the taking of fish, as amended by Chapter 49 of the General Laws of the Regular Session of the Thirty-first Legislature. The purpose of the amendment being to strike from the list of counties exempted by the provisions of said Section 2, Wood county, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Greer:

Senate bill No. 428, A bill to be entitled "An Act to provide for the maintenance of the Departments of Agriculture, Manual Training and Domestic Economy in the High School of Winnsboro Independent School District, located in Wood and Franklin counties, and making appropriation to carry out the provisions of this act."

Read first time and referred to Committee on Educational Affairs.

By Senator Townsend:

Senate bill No. 429, A bill to be entitled "An Act to amend Article 5217, Chapter 12, of the Revised Civil Statutes of 1911, adopted at the Regular Session of the Thirty-second Legislature, providing that no verdict shall be rendered in any cause except upon the concurrence of all members trying the same, save and except in the trial of criminal cases below the grade of felony in the district court, when nine members of the jury concurring may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury